

ORDINANCE NO. 1481

AN UNCODIFIED URGENCY INTERIM ORDINANCE OF THE LODI CITY COUNCIL  
IMPOSING A MORATORIUM ON SECOND UNITS IN THE EAST SIDE REZONING AREA

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BE IT ORDAINED BY THE LODI CITY COUNCIL AS FOLLOWS:

SECTION 1.

WHEREAS, the City of Lodi on November 4, 1987 in Ordinance No. 1409 adopted the East Side Rezoning Plan, downgrading to R-1 certain property in the area described in such Ordinance; and

WHEREAS, in connection with this action, studies revealed certain deficiencies in the City's water, sewer, and storm drainage systems for this area; and

WHEREAS, under California Government Code Section 65852.2, second units ("granny units") are an allowed use in R-1 zones; and

WHEREAS, a proliferation of such second units in the East Side Rezoning Area could foreseeably tax existing water, sewer, and storm drainage systems beyond their capacities;

NOW, THEREFORE, BE IT ORDAINED by the Lodi City Council that pursuant to Government Code Section 65858(a), the Lodi City Council makes the following findings:

FINDINGS.

1. The Environmental Impact Report for the East Side Plan Alternatives adopted herein by reference, and on file in the Office of the City Clerk, was prepared by Jones and Stokes Associates for the City of Lodi in July, 1987.

2. Chapter 9, Water, of that environmental document states portions of the water system in the area are either at or over capacity and indicates that this problem can be mitigated by constructing new water wells, installation of new main transmission lines and placement of new water lines and fire hydrants to ensure adequate water and fire suppression systems. (Pages 9-19 through 9-22).
3. Chapter 10, Sewerage, of that report indicates that portions of the sanitary sewer system in the East Side study area are at or over capacity and recommends that these inadequacies can be mitigated by upgrading the trunk and collection sewers. (Pages 10-20 through 10-22).
4. Chapter 11, Storm Drainage, indicates that portions of the area lack adequate storm drainage facilities, and further states that these facilities can be made adequate by constructing new trunk and collection facilities. (Pages 11-11 through 11-14).
5. That the aforementioned conditions constitute a current and immediate threat to the public health, safety or welfare and that approval of additional building permits would result in a threat to the public health, safety or welfare.

BE IT FURTHER **ORDAINED**, that the City Council hereby imposes a moratorium on construction of all second units on R-1 lots in the area designated as the East Side Rezoning Area, more particularly described

in Ordinance 1409, pending study and remediation of deficiencies in the water, sewerage, and storm drain facilities in the subject area.

SECTION 2. All ordinances and parts of ordinances in conflict herewith are repealed insofar as such conflict may exist.

SECTION 3. This is an urgency interim ordinance based on health, safety, or welfare considerations and shall be effective immediately upon its adoption.

SECTION 4. This urgency interim ordinance shall be published one time in the "Lodi News Sentinel", a daily newspaper of general circulation printed and published in the City of Lodi and shall be in force and take effect immediately upon its passage. This ordinance shall expire forty-five (45) days from its date of adoption, unless sooner extended by Council action following notice and hearing pursuant to Government Code Section 65090.

Approved this 4th day of April



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JOHN R. SNIDER  
MAYOR

Attest:



ALICE M. REIMCHE  
CITY CLERK

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State of California  
County of San Joaquin, ss.

I, Alice M. Reimche, City Clerk of the City of Lodi, do hereby certify that Ordinance No. 1481 was adopted as an urgency interim ordinance at a regular meeting of the City Council of the City of Lodi held April 4, 1990, and was thereafter passed, adopted and ordered to print by the following vote:


Ayes : Council Members - Hinchman, Olson, Pinkerton, Reid  
and Snider (Mayor)

Noes: Council Members - None

Absent: Council Members - None

Abstain : Council Members - None

I further certify that Ordinance No. 1481 was approved and signed by the Mayor on the date of its passage and the same has been published pursuant to law.

  
ALICE M. REIMCHE  
City Clerk

Approved as to Form



BOBBY W. McNATT  
CITY ATTORNEY

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